



Docket No. END-796USDIV

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : David A. Witt, et al.  
Serial No. : 09/982,744 Art Unit: 3731  
Filed : October 18, 2001 Examiner: Julian W. Woo  
For : CURVED CLAMP ARM TISSUE PAD ATTACHMENT FOR USE WITH  
ULTRASONIC SURGICAL INSTRUMENTS

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January 20 2005  
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Linda F. Hansen  
(Name of applicant, person signing, assignee, or Registered Representative)

*Linda F. Hansen*  
(Signature)

January 20 2005  
(Date of Signature)

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/ / the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

☐ Statement in Accordance with §1.97(e) (attached); or

☐ Please charge Deposit Account No. 10-0750/END-796DIV/VEK the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311 but before the payment of the Issue Fee. Applicant(s) hereby petition(s) for consideration of this Information Disclosure Statement. Included are: Statement in Accordance with §1.97(e) as set forth below and the fee of \$180.00 as set forth in §1.17(p).

☒ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

☒ There are no listed references which are not in the English language.

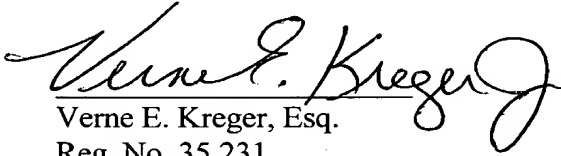
☐ The relevance of those listed references which are not in the English language is as follows:

☒ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/END-796USDIV/VEK. This form is submitted in triplicate.

Respectfully submitted,

  
Verne E. Kreger, Esq.  
Reg. No. 35,231  
Attorney for Applicants

Johnson & Johnson  
One Johnson & Johnson Plaza  
New Brunswick, NJ 08933-7003  
(513) 337-3535  
DATED: January 19, 2005



PTO/SB/08A (08-00)

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 5

<b>Application Number</b>	09/982,744
<b>Filing Date</b>	October 18, 2001
<b>First Named Inventor</b>	David A. Witt, et al.
<b>Group Art Unit</b>	3731
<b>Examiner Name</b>	Julian W. Woo
<b>Attorney Docket Number</b>	END796USDIV

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. 1	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		2,990,616		Balamuth et al.	7/4/1961	ALL
		3,053,124		Balamuth et al.	11/16/1959	ALL
		3,433,226		Boyd	3/18/1969	ALL
		3,526,219		Balamuth	09/1/1970	ALL
		3,636,943		Balamuth	01-25-1972	ALL
		3,830,240		Anteonevich et al.	8/20/1974	ALL
		3,861,391		Anteonevich et al	1/21/1975	ALL
		3,862,630		Balamuth	01-28-1975	ALL
		3,990,452		Murry et akl.	11/9/1976	ALL
		4,136,700		Broadwin et al.	1/30/1979	ALL
		4,169,984		Parisi	10/2/1979	ALL
		4,526,571		Wukchinich	7/2/1985	ALL
		4,634,419		Kriezman et al.	1/6/1987	ALL
		4,911,161		Schnecter	3/27/1990	ALL
		4,920,954		Alliger et al.	5/1/1990	ALL
		4,974,581		Wiksell	12/4/1990	ALL
		4,992,048		Goof	2/12/1991	ALL
		5,019,083		Klapper e al.	5/28/1991	ALL
		5,047,008		De Juan, Jr. et al.	9/10/1991	ALL
		5,047,043		Kubota et al.	9/10/1991	ALL
		5,057,119		Clark et al.	10/15/1991	ALL

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



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# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

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Sheet 2 of 5

<b>Application Number</b>	09/982,744
<b>Filing Date</b>	October 18, 2001
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## **U.S. PATENT DOCUMENTS**

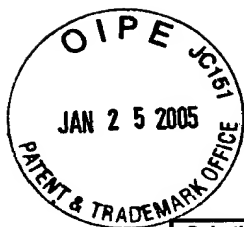
Examiner Initials	Cite No. 1	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		5,059,210		Clark et al.	10/22/1991	
		5,180,363		Idemoto et al.	1/19/1993	ALL
		5,188,102		Idemoto et al.	2/23/1993	ALL
		5,205,817		Idemoto et al.	4/27/1993	ALL
		5,221,282		Wuchchinich	6/22/1993	ALL
		5,222,937		Kagawa	6/29/1993	ALL
		5,248,296		Alliger	9/28/1993	ALL
		5,263,957		Davison	11-23-1993	ALL
		5,312,329		Beaty et al.	5/17/1994	ALL
		5,318,570		Hood et al.	6/7/1994	ALL
		5,322,055		Davison, et al.	06-21-1994	ALL
		5,324,297		Hood et al.	6/28/1994	ALL
		5,324,299		Davison et al.	6/28/1994	ALL
		5,397,293		Alliger et al.	3/14/1995	ALL
		5,413,578		Zahedi	5/9/1995	ALL
		5,417,654		Kelman	5/23/1995	ALL
		5,449,370		Vaitekunas	9/12/95	ALL
		5,480,379		LaRosa	1/2/1996	ALL
		5,489,292		Tovey, et al.	02-06-1996	ALL

Examiner Signature		Date Considered	
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Substitute for form 1449A/PTO  <h2 style="text-align: center; margin: 10px 0;">INFORMATION DISCLOSURE STATEMENT BY APPLICANT</h2> <p style="text-align: center; font-size: small;">(use as many sheets as necessary)</p> <p style="text-align: center;">Sheet 3 of 5</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px 5px;"><b>Application Number</b></td> <td style="padding: 2px 5px;">09/982,744</td> </tr> <tr> <td style="padding: 2px 5px;"><b>Filing Date</b></td> <td style="padding: 2px 5px;">October 18, 2001</td> </tr> <tr> <td style="padding: 2px 5px;"><b>First Named Inventor</b></td> <td style="padding: 2px 5px;">David A. Witt, et al.</td> </tr> <tr> <td style="padding: 2px 5px;"><b>Group Art Unit</b></td> <td style="padding: 2px 5px;">3731</td> </tr> <tr> <td style="padding: 2px 5px;"><b>Examiner Name</b></td> <td style="padding: 2px 5px;">Julian W. Woo</td> </tr> <tr> <td style="padding: 2px 5px;"><b>Attorney Docket Number</b></td> <td style="padding: 2px 5px;">END796USDIV</td> </tr> </table>	<b>Application Number</b>	09/982,744	<b>Filing Date</b>	October 18, 2001	<b>First Named Inventor</b>	David A. Witt, et al.	<b>Group Art Unit</b>	3731	<b>Examiner Name</b>	Julian W. Woo	<b>Attorney Docket Number</b>	END796USDIV
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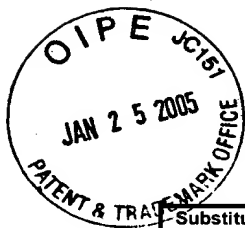
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		Number	Kind Code <sup>2</sup> (if known)			
		5,531,597		Foulkes et al	7/2/1996	ALL
		5,630,420		Vaitekunas	5/20/1997	ALL
		5,653,724		Imonti	8/5/1997	ALL
		5,669,922		Hood	9/23/1997	ALL
		5,676,649		Boukhny et al.	10/14/1997	ALL
		5,776,155		Beaupre et al.	7/7/1998	ALL
		5,873,873		Smith et al.	2/23/1999	ALL
		5,893,835		Witt, et al.	04-13-1999	ALL
		5,935,144		Estabrook	8/10/1999	ALL
		5,938,633		Beaupre	8/17/1999	ALL
		5,944,737		Tsonton et al.	8/31/99	ALL
		6,024,750		Mastri et al.	8/14/1997	ALL
		6,063,050		Manna et al.	5/16/2000	ALL
		D 339,415		Hood et al.	9/14/1993	ALL
		D 344,799		Hood et al.	3/1/1994	ALL
		D 345,794		Hood et al.	4/5/1993	ALL
						ALL
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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 4 of 5

<i>Application Number</i>	09/982,744
<i>Filing Date</i>	October 18, 2001
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## U.S. PATENT DOCUMENTS

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## FOREIGN PATENT DOCUMENTS

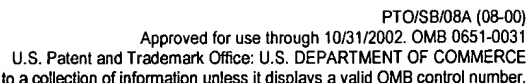
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<i>First Named Inventor</i>	David A. Witt, et al.
<i>Group Art Unit</i>	3731
<i>Examiner Name</i>	Julian W. Woo
<i>Attorney Docket Number</i>	END796USDIV

(use as many sheets as necessary)

Sheet 5 of 5

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
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<p align="center"><b>SUBMISSION UNDER MPEP 609 D</b></p> <p align="center"><b>Page 1 of 1</b></p>	<i>Application Number</i>	09/982,744
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**FOREIGN PATENT DOCUMENTS**

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			Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>		

**OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS**

Examiner 's Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		EPO Search Report dated August 3, 2004 for related patent application 09/412,257, European Patent Application No. 00 96 1666.	

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